

City Council of the City of New Castle
Regular Council Meeting at Town Hall – 201 Delaware Street – New Castle
Tuesday – October 8, 2013 – 7 p.m.

Call to order: 7:01 pm

Roll Call:

Councilperson Vannucci
Councilperson Petty
Council President Barthel
Councilperson Cochran
Councilperson Megginson

Also present:

Donald Reese, Mayor
Marian Delaney, Finance & Human Resources Manager
Jeff Bergstrom, Building Official & Fire Marshall
Janet Carlin, City Treasurer
Daniel Losco, City Solicitor
Lt. Abrams, Department of Public Safety

Approval of Minutes by Date: Jun 6; July 31; Sept 9; Sept 26.

Councilperson Cochran motioned and Councilperson Megginson seconded approval of the minutes without changes. The motion passed unanimously.

Approval of Treasurer's Report

Treasurer Carlin reported on the balances of the city's accounts. The total cash on hand in all accounts is \$3,642,528.23. Councilperson Vannucci motioned to accept the report and Councilperson Petty seconded. The council unanimously accepted the report.

Approval of Staff Reports

The staff had nothing to add to their reports. The council unanimously accepted the staff reports.

Grant Review

Councilperson Cochran reviewed the grant receipts for September:

- DPS Combat Violent Crime Grant - \$26,183.70
- Highway Safety Grant - \$952.28

Communications

None

Business from the Floor

None

Business from the Mayor

- Art on the Green was as always a big success. The town is well known for this event.

- The current edition of Delaware Today has a nice article about the cities of New Castle and Boston helping each other in time in need.
- On Saturday, the town hosted the first bike event for racers and recreational riders. People rode their bikes back and forth between New Castle and Delaware City all day. Many people volunteered their time to make the event a success. He looks forward to having the same event next year.
- Kevin McDerby is not here tonight. This is Kevin's way of bowing out and he will probably not be here at another meeting. I urge all of you over the next month to stop by his office to say hello before October 31st. Tell him what a good job he has done, how much we all appreciate him and that he will be missed. He's done a heck of a job for 13 years.
- Later tonight, the mayor will bring forth David Baldini as his appointment to the planning commission.
- At the League of Local Governments last week, the New Castle Police Department was recognized as the first in the State to be accredited. Police Chief McDerby, Lt. Abrams, Councilperson Petty and Mayor Reese attended.
- Mayor Reese married a couple in the New Castle Court House on Friday
- The Mayor reminded everyone of the Trustee election on the 19th and encourage all to vote.

Business from the Council President

- The Travers Family donated \$1,000 from the community summer concert series in the park to the city.
- An email from Kevin Donnelly of the Conservation District was read to provide an update on the current status of the progress of the repair of each dike.

Motion, Discussion and on Vote Resolution No. 2013-35, recognizing **Robert E. Ford** for 10 Years of Service in the City of New Castle Public Works Department.

The Motion to approve Resolution No. 2013-35 was made by Councilperson Megginson and seconded by Councilperson Vannucci.

President Barthel read the resolution.

Resolution No. 2013-35 passed unanimously.

Motion, Discussion and on Vote Resolution No. 2013-36, recognizing **M/Sgt. Bernard M. Torre** for 20 Years of Service in the New Castle Police Department.

The Motion to approve Resolution No. 2013-36 was made by Councilperson Petty and seconded by Councilperson Vannucci.

President Barthel read the resolution.

Resolution No. 2013-36 passed unanimously.

Unfinished Business

1. Pier Study update and discussion from Duffield and URS.

Marian Hull introduced Debbie Preil from URS as one of the staff working on this project

John Fellows from Duffield Associates presented the conceptual plan of a pier for New Castle funded by the State's bond bill. The Plan will identify the best location of the pier. Guidance is needed from City Council regarding approval of the direction of the conceptual plan to move forward with further design work and permitting and engineering.

The current work is on preliminary permitting and engineering. The intention of the pier is for the visitation of historic ships such as the Kalmar Nyckle, potential use by a ferry and a home for the Goodwill Fire & Rescue Boat.

The surveys and studies from previous work were refined. A land based survey and hydrographic survey were combined to provide a comprehensive conditions plan. The findings are that the mud flat extends 140 feet and is about 2 feet deep at low tide. Beyond the mud flat, the depth quickly becomes 25 feet. Debris has accumulated near the old pier both as a result of the ice breaker and former pier falling apart.

Archeological underwater study was done to determine if there are any submerged historical or cultural artifacts. The bottom of the riverbed was canvassed and nothing was found. No further archeological study is required for permitting.

The location assessment report includes the study methodology and findings. The recommendation is that the wharf at the end of Delaware Street is the preferred location for the pier. The key factors for selection are sufficient depth for the ships, no debris clean-up and cost. At the previous location, the tide and other water movement make it difficult to dock. The cost of demo of existing pier and rebuild of ice breaker are more expensive than building a new dock. The new dock location is more convenient and accessible. The aesthetics support a view of historic ships at end of Delaware Street. Captain Morgan of the Kalmar Nyckle wrote a letter in support of the Delaware Street wharf location.

The next step is permitting from the Army Corps of Engineers. A consensus on the location is needed to move forward.

Councilperson Cochran asked if old pier will need to be demolished. Mr. Fellows responded that it depends on the funding from FEMA. The funding could be used to build the new pier or the old pier can be demolished or rebuilt as a catwalk. President Barthel added that FEMA needs to be advised of the intention to rebuild at the old location or use the funding to build at a new location that is deemed more storm resistant.

President Barthel inquired about what it would take to clean-up the debris from the former pier. Mr. Fellows responded that it would be cost be effective to have marine engineers do the clean-up while building the new structure.

Councilperson Megginson asked about the length of the old pier. Mr. Fellows responded the old pier was about 250 feet and the new pier would be 180 feet. In terms of placement in the river, it is approximately the same total distance into the river because of the wharf at the new location.

Councilperson Petty asked about using the circle at the end of Delaware Street as a drop-off point for buses. Mr. Fellows agreed that it might be tight and would be reviewed.

President Barthel added that the study was approved with the use of the Bond Bill Funds. All the funding allocated was not used for this study and may be able to be used for additional purposes.

Mr. Fellows reported that the next step of obtaining permits would be 6 to 8 months. He has already had initial joint permit meetings with DNREC and the Army Corps of Engineers. Both were on board and need to be provided with the more detailed studies.

2. Banks Building Discussion

During the budgeting process, funding was allocated for the Banks Building. Councilperson Vannucci has met with a local company that can raise the building and make it level with concrete. They need to meet with the city engineer to present their plan. The company will provide a cost estimate. The next step is bringing the company and city engineer together.

3. Planning Commission Parking Sub-committee Parking Study update by David Bird.

The Sub-committee was formed by the Planning Commission and is chaired by Jo Viola. Mr. Bird presented documents summarizing the work of the Parking Sub-committee. They would like to publish the documents on the web site and in the New Castle Weekly. The report provides recommendations for short term, mid-range, and long range actions to improve parking. The items for each time frame are outlined in the report as submitted to council. The impact of the National Monument was discussed.

New Business

1. Mr. Robert Spencer of 114 E. 2nd Street requested to have a permit fee refunded. He called Mr. Bergstrom regarding the issue and was referred to Council President Barthel. Mr. Spencer had a house fire in 2008 that required restoration work to be able to live in the house. He applied for a permit to build an addition in 2009 but it took 4 years to obtain the needed funding. The building permit has expired and he has to pay another fee. He will have to pay another fee for 2nd extension. Mr. Spencer asked to have the fee paid two weeks ago refunded and the original permit reinstated.

Councilperson Petty believes that waiving the fee will set a bad precedent. Councilperson Megginson believes that the precedent has already been set from previous instances to not waive permit fees. City Solicitor Losco advised that the process and costs are in alignment with other Delaware towns.

2. Marian Hull presented plans to have URS and Duffield survey the shoreline not protected by the dikes. Of the \$125,000 from the bond bill for the pier study, \$17,000 remains. Representative Mulrooney helped the city work with the State Finance Department as to whether an addendum can be made to the funding to include a study of possible flood controls for the area not covered by the dike system. Jeff Bross of Duffield has submitted an addendum to their proposal for the pier study to do an additional study of possible flood controls using current data.
3. Motion, Discussion and Vote on Resolution No. 2013-37 to Appoint David Bird as Planning Commission appointment to Historic Area Commission through October 30, 2016.

The Motion to approve Resolution No. 2013-37 was made by Councilperson Cochran and seconded by Councilperson Megginson.

President Barthel read the resolution.

Resolution No. 2013-37 passed unanimously.

Mr. Bird thanked the council for the appointment and thanked Ms. Dorsey for her service.

4. Motion, Discussion and Vote on Resolution No. 2013-38 to Appoint David Baldini to City of New Castle Planning Commission.

The Motion to approve Resolution No. 2013-37 was made by Councilperson Cochran and seconded by Councilperson Petty.

President Barthel read the resolution.

Resolution No. 2013-37 passed unanimously.

Mr. Baldini thanked the mayor and council for the appointment.

5. Motion, Discussion and Vote on Resolution No. 2013-39, approving that the City shall apply for the Police Grant FY'14 SALLE/EIDE.

The Motion to approve Resolution No. 2013-39 was made by Councilperson Petty and seconded by Councilperson Vannucci.

President Barthel read the resolution.

Resolution No. 2013-39 passed unanimously.

Lt Abrams reported that the funding from the SALLEE grant will be used for 800-MHz radios, one rifle with rack and sling, and community relations supplies. The funding from the EIDE grant will be used for field testing kits and overtime for enforcement and investigation.

6. Council discussed the city's annual application for the State of Delaware FY15 Grant-In-Aid for Separation Day 2015. The city will submit an application to the State's Joint Finance Committee for the same amount requested in previous years.

Comments from the floor.

None

The motion to adjourn was made by Councilperson Petty, seconded by Councilperson Vannucci and passed unanimously.

Council met in Executive Session to discuss a Personnel Matter.

Respectfully submitted,

Janet E. Wurtzel
Clerk of the City of New Castle